

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Tim Clifton,

Civil No. 05-2472 (DWF/RLE)

Plaintiff,

v.

**ORDER ADOPTING THE
REPORT AND RECOMMENDATION**

Hennepin County Deputy Horbin,
Hennepin County Sheriff's Department,
and Hennepin County,

Defendants.

Tim Clifton, *Pro Se*, Plaintiff.

Richard D. Hodsdon, Esq., Washington County Attorney's Office, counsel for Defendant Hennepin County Deputy Horbin; and Toni A. Beitz, Esq., Hennepin County Attorney's Office, counsel for Defendants Hennepin County Sheriff's Department and Hennepin County.

Based upon the Findings and Recommendation of the United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Motion of Hennepin County and the Hennepin County Sheriff's Department for Judgment on the Pleadings, or to Dismiss (Doc. No. 16) is **GRANTED**.

2. That the Motion of Hennepin County and the Hennepin County Sheriff's Department for Judgment on the Pleadings, or to Dismiss (Doc. No. 28) is **DENIED**.

Dated: September 22, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court